

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DANIEL CALVIN,

Plaintiff,

v.

DEPARTMENT OF MOTOR
VEHICLES APPEAL BOARD,

Defendant.

2:12-CV-379 JCM (VCF)

ORDER

Presently before the court is the case of *Calvin v. Department of Motor Vehicles Appeal Board*, 2:12-cv-00379-JCM-VCF, filed by *pro se* plaintiff Daniel Calvin. (Doc. #1).

On February 13, 2012, state administrative law judge Toni Boone held a hearing at the Office of Administrative Hearings at the Nevada Department of Motor Vehicles. (Doc. #1, Ex. 1). One day later, Judge Boone issued a written ruling affirming the revocation of petitioner's driving privileges for driving under the influence of intoxicants. (Doc. #1, Ex. 1).

Judge Boone's order stated that an "adverse decision may be appealed to [d]istrict [c]ourt under NRS 484C.230 within thirty (30) days of the date of this decision." (Doc. #1, Ex. 1). Plaintiff then filed the instant case in federal district court. (Doc. #1).

Plaintiff should have appealed Judge Boone's decision to the state district court rather than filing a new suit in federal district court. *See* NRS 484C.230(3). This court does not have jurisdiction to hear this case.

1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-captioned case
3 be, and the same hereby is, DISMISSED for lack of jurisdiction.

4 DATED March 9, 2012.

5
6 
7 UNITED STATES DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28